

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, MAY 17, 2001**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Joan M. DuBois, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John B. Kelso, Lee District

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The meeting was called to order at 8:20 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Alcorn noted that the Environment Committee had met this evening and discussed potential proffer language for stormwater management. He said staff would provide recommended language to the Commission for stormwater proffers later this summer.

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Commissioner Byers MOVED THAT THE CONTINUED PUBLIC HEARING ON RZ-2000-MV-060, BOARD'S OWN MOTION, BE DEFERRED INDEFINITELY.

Commissioner Koch seconded the motion which carried unanimously with Commissioner Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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Commissioner Byers announced his intent to defer the public hearing on RZ/FDP-01-MV-002, Telegraph I, LLC, from May 24, 2001 to June 13, 2001.

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Commissioner Hall announced her intent to defer the public hearing on SE-01-M-010, Skyline Amoco, from June 13, 2001 to June 20, 2001.

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Commissioner Hall MOVED THAT THE DECISION ONLY ON RZ/FDP-2000-MA-055, JOHN H. THILLMANN, BE FURTHER DEFERRED TO A DATE CERTAIN OF MAY 30, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Hall MOVED THAT BZA CASE SPA-84-M-009-2, ISLAMIC CENTER, BE SCHEDULED FOR AN ADMINISTRATIVE HEARING BEFORE THE PLANNING COMMISSION ON JULY 11, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON RZ/FDP-2000-SU-050, THE RYLAND GROUP, BE DEFERRED TO A DATE CERTAIN OF MAY 30, 2001.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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Commissioner Harsel announced her intent to seek approval of the October 2000 minutes on Thursday, June 21, 2001.

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RZ/FDP-2000-SU-024 - ALD GROUP (Decision Only)

(The public hearing on these applications was held on May 10, 2001. A complete verbatim transcript of the decisions made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2000-SU-024, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED MAY 15, 2001.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-SU-024, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 8, 2001 AND THE BOARD'S APPROVAL OF RZ-2000-SU-024.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE VARIANCE OF THE MINIMUM DISTRICT SIZE TO PERMIT A 1.06 ACRE PDH DISTRICT.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE SERVICE DRIVE REQUIREMENT ALONG ROUTE 29.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A VARIANCE TO PERMIT THE HEIGHT OF A FENCE IN THE FRONT YARD UP TO SIX FEET IN HEIGHT.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS A WAIVER OF THE ROADWAY AND FRONTAGE IMPROVEMENT REQUIREMENTS FOR LEE HIGHWAY.

Commissioner Hall seconded the motion which carried by a vote of 8-0-1 with Commissioner Byers abstaining; Commissioners Alcorn and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda items:

1. RZ/FDP-2000-MV-045 - LORTON VALLEY, LC
2. RZ/FDP-2000-MV-057 - LORTON VALLEY, LC & LORTON VALLEY III, LC
3. 2232-P01-5 - FAIRFAX COUNTY WATER AUTHORITY
4. 2232-H00-41 - SPRINT PCS
SE-00-H-053 - SPRINT PCS
5. 2232-D99-13 - COMMUNITY WIRELESS STRUCTURES II, LLC
SE-99-D-043 - COMMUNITY WIRELESS STRUCTURES II, LLC

This order was accepted without objection.

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RZ/FDP 2000-MV-045 - LORTON VALLEY, LC - Appls. to rezone from I-4 to PDH-5 to permit residential development at a density of 4.86 du/ac and approval of the conceptual and final development plans on property located on the S. side of Lorton Rd., approx. 1,000 ft. W. of its intersection w/Silverbrook Rd. and Sanger St. on approx. 58.57 ac. Comp. Plan Rec: 5-8 du/ac and private open space. Tax Map 107-3((1))3A. MT. VERNON DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated May 7, 2001. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Commissioner Byers, noting that revised proffers and development conditions had not been received until last night, announced that he would be deferring a decision on these applications after the public hearing was held.

Mr. Martin stated that the proposed development of 98 single family lots and 172 attached lots, at a density of 4.61 dwelling units per acre, was below the range of 5-8 dwelling units recommended in the Comprehensive Plan. He said proposed amenities included a swimming pool, clubhouse, multi-purpose court and active recreation space and that the development would share fencing, streetlights, benches and sidewalks with the nearby Lorton Station development. He explained that proffers provided for extensive transportation improvements, a contribution of \$1,200 per unit for public schools, and park dedication, and that environmental proffers addressed the protection of the EQC, stormwater management, limits of clearing and grading, tree preservation, and soil and erosion control. He noted that the applicant and the developer of

Lorton Station would provide funding for sewer availability fees for the Shirley Acres community. He said environmental proffers addressed the protection of the EQC, stormwater management, limits of clearing and grading, tree preservation, and soil and erosion control. Mr. Martin pointed out that in response to concerns expressed by staff and Commissioner Byers, the total number of lots had been reduced by nine so that all of the dwelling units would be able to have 18 foot driveways. He also said that the private streets had been designed to accommodate visitor parking which would not be possible with public streets. In conclusion, he noted that the applications had the support of staff, the Federation of Lorton Communities and the Shirley Acres community. He requested a favorable recommendation.

In response to a question from Commissioner Byers, Mr. Martin said that the length of the backyards would be 10 feet and that it would be the responsibility of the homeowners association to see that open space was not encroached upon.

Responding to a question from Commissioner Byers, Ms. Godfrey said that she would revise Development Condition Number 10 to specify that the minimum fence height would be six feet. Mr. Martin concurred with this revision.

In response to a question from Commissioner Byers, Mr. Martin said that a justification had been provided for the waiver of the barrier requirement.

Chairman Murphy called the first listed speaker and reviewed procedures for addressing the Commission.

Mr. Neal McBride, 8105 Winter Blue Court, Springfield, representing the Laurel Hill Citizens Advisory Committee, the South County Schools Alliance and the South Run Coalition, expressed support for the proposed development.

Ms. Diane Donley, 3508 Riverwood Road, Alexandria, Chairman of the Planning and Zoning Committee of the Mount Vernon Citizens Association, expressed concern about the private streets and the size of the back yards.

Mr. Marty Schirmacher, 9534 Third Place, Lorton, representing the Shirley Acres and Green Ridge Civic Association, expressed support for the proposed development. He presented a petition signed by residents who opposed the extension of Cooper Drive. (A copy of the petition is in the date file.)

Mr. Linwood Gorham, 6036 Chapman Road, Lorton, President, Federation of Lorton Communities, expressed support for the proposed development and commended KSI for working with the community to address their concerns.

There were no further speakers. Mr. Martin declined to make a rebuttal statement.

Mr. Charles Almquist, Department of Transportation (DOT), said he was disturbed about the last minute change eliminating the Cooper Drive right-of-way, because it would eliminate the

option for future interparcel access. He said the DOT may withdraw its support of the application due to this issue. In response to a question from Commissioner Wilson, Mr. Almquist said that DOT usually supported private streets as long as potential home buyers were notified in writing that they would be responsible for maintenance.

Responding to a question from Commissioner Byers, Mr. Almquist said that although the Virginia Department of Transportation (VDOT) would approve a road built to public road specifications with space set aside for vertical parking in a townhouse development, the bigger issue was the fact that most townhouses did not have sufficient spacing between driveways to meet VDOT standards.

There were no further comments or questions from the Commission or staff, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ-2000-MV-045 AND FDP-2000-MV-045 TO A DATE CERTAIN OF MAY 24, 2001, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT. Commissioner Wilson seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioner Kelso absent from the meeting.

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RZ/FDP-2000-MV-057 - LORTON VALLEY, LC & LORTON VALLEY III, LC - Appls. to rezone from R-1 to PDH-4 to permit residential development at a density of 3.27 du/ac and approval of the conceptual and final development plans on property generally located at the S. termini of Third Pl., Fourth Pl. and Fifth Pl., approx. 500 ft. E. of Furnace Rd. on approx. 60.87 ac. Comp. Plan Rec: 1-2 du/ac w/option for 3-4 du/ac. Tax Map 107-3((1))13, 14 and 16. MT. VERNON DISTRICT. PUBLIC HEARING.

Keith Martin, Esquire, with Walsh, Colucci, Stackhouse, Emrich and Lubeley, PC, reaffirmed the affidavit dated May 7, 2001. There were no disclosures by Commission members.

Ms. Mary Ann Godfrey, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

Mr. Martin stated that the 61 acre assemblage, referred to as the Village at Lorton Valley, was located south of Lorton Valley North, the applications previously heard, and the Shirley Acres community. He said the proposed development consisted of 195 single family detached units and four affordable attached units at a density of 3.27, which was at the lower end of the 3-4

units recommended in the Comprehensive Plan. He explained that the development would have a traditional grid public street system with sidewalks on both sides of all streets, and noted that the applicant had proffered to improve Fifth Place within Shirley Acres. He described the street tree theme and said the central feature of the site would be a central park area which would provide a playground, a tot lot and a seating area. He noted that a contribution of \$1,200 per unit would be made for public schools in the area, as well as a contribution to the Lorton Road Fund. He pointed out that this applicant and the previous applicant would pay sewer availability fees for all Shirley Acres homeowners. In conclusion, Mr. Martin said that the applications had the support of staff, the Federation of Lorton Communities, Shirley Acres and the Mount Vernon Council, and requested a recommendation of approval.

In response to a question from Commissioner Byers, Mr. Martin said a proffer requiring landscaping with a minimum growth of six feet would protect the privacy of adjacent homeowners.

Responding to questions from Commissioner Wilson, Mr. Martin said that the applicant had proffered to put 20 feet of pavement along their Dixon Street frontage, but that no trails or walkways were planned along Dixon Street. Mr. Charles Almquist, Department of Transportation, said this plan was acceptable.

Mr. Martin responded to questions from Commissioner Harsel about the sizes of the lots and the houses, and from Commissioners Byers, Wilson and Alcorn about the location of the affordable dwelling units and the density credit received for them. In response to a suggestion of Commissioner Alcorn, Mr. Martin said he had no objection to adding language which would allow the ADUs to be designed to resemble a large single family dwelling.

Chairman Murphy called the first listed speaker.

Mr. Neal McBride, 8105 Winter Blue Court, Springfield, representing the Laurel Hill Citizens Advisory Committee, the South County Schools Alliance and the South Run Coalition, expressed support for the proposed development.

Ms. Diane Donley, 3508 Riverwood Road, Alexandria, Chairman of the Planning and Zoning Committee of the Mount Vernon Citizens Association, expressed support for the proposed development.

Mr. Marty Schirmacher, 9534 Third Place, Lorton, representing the Shirley Acres and Green Ridge Civic Association, also expressed support for the proposed development.

Mr. John Magyar, 9516 Fourth Place, Lorton, expressed concern about parking on Fifth Place and suggested that parking be allowed by permit only.

Mr. Linwood Gorham, 6036 Chapman Road, Lorton, President, Federation of Lorton Communities, expressed support for the proposed development.

Mr. Almquist said that he would review the transportation proffers during the coming week to make sure there were no unaddressed transportation issues.

There were no further speakers. Chairman Murphy called upon Mr. Martin for a rebuttal statement. Mr. Martin had no rebuttal remarks.

In response to a question from Commissioner Wilson, Mr. Martin said there was no evidence of methane gas seepage in the subject area.

There were no further speakers. The Commission had no further comments or questions and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE DECISION ONLY ON RZ/FDP-2000-MV-057 BE DEFERRED TO A DATE CERTAIN OF MAY 24, 2001, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Koch not present for the vote; Commissioner Kelso absent from the meeting.

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2232-P01-5 - FAIRFAX COUNTY WATER AUTHORITY - Appl. under provisions of Sects. 15.2-2204 and 15.2-2232 of the Code of Virginia, as amended, to extend approx. 770 ft. of new 24-inch water main along the N. side of Iliff Dr. between Gallows Rd. and Sandburg St. in Dunn Loring. The proposed installation will connect existing water mains at each end of the proposed extension, and will provide water supply to the City of Falls Church water system during the construction of improvements to that system. Tax Map 39-4. PROVIDENCE DISTRICT. PUBLIC HEARING.

Mr. David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended that the application be found to be substantially in accord with the provisions of the adopted Comprehensive Plan.

Ms. Jamie Bain, Fairfax County Water Authority, stated that the Water Authority was requesting approval of a 770 foot water main extension, 24 inches in diameter, along Sandburg Street so an interim supply of water could be provided to the City of Falls Church Department of Public Utilities during improvements to their system, including the reconstruction of their Tysons Corner storage tank. She noted that construction would take about 2-3 months.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION DETERMINE, IN ACCORDANCE WITH SECTION 15.2-2232 OF THE CODE OF VIRGINIA, AS AMENDED, THAT THE PROPOSAL BY THE FAIRFAX COUNTY WATER AUTHORITY FOR THE EXTENSION OF APPROXIMATELY 770 LINEAR FEET OF 24 INCH DIAMETER WATER MAIN ALONG THE NORTH SIDE OF ILIFF DRIVE BETWEEN GALLOWS ROAD AND SANDBURG STREET IN DUNN LORING, BE FOUND SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Byers and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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SE-00-H-053 - SPRINT PCS - Appl. under Sect. 6-304 of the Zoning Ord. to permit a roof-mounted telecommunication facility on property located at 12052 N. Shore Dr. on approx. 2.46 ac. zoned PRC. Tax Map 18-1((5))8B. (Concurrent w/2232-H00-41.) HUNTER MILL DISTRICT.

2232-H00-41 - SPRINT PCS - Appl. under Sect. 15.2-2232 of the Code of Virginia to permit a roof-mounted telecommunication facility on property located at 12052 N. Shore Dr. on approx. 2.46 ac. zoned PRC. Tax Map 18-1((5))8B. (Concurrent w/SE-00-H-053.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Michelle Rosati, Esquire, with Hunzeker, Lyon and Leggett, PC, reaffirmed the affidavit dated April 10, 2001. There were no disclosures by Commission members.

Commissioner Palatiello asked that Chairman Murphy ascertain whether there were any speakers present for this application. Chairman Murphy called for speakers, but received no response. Therefore, he waived presentations by staff and the applicant, closed the public hearing and recognized Commissioner Palatiello for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THE PROPOSED FACILITY UNDER 2232-APPLICATION 2232-H00-41 SATISFIES THE CRITERIA FOR LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE CODE OF VIRGINIA AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Byers and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-00-H-053, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED APRIL 26, 2001.

Commissioners Koch and Hall seconded the motion which carried unanimously with Commissioners Byers and Wilson not present for the vote; Commissioner Kelso absent from the meeting.

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The Commission recessed at 10:05 p.m. and reconvened at 10:20 p.m.

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2232-D99-13 - COMMUNITY WIRELESS STRUCTURES II, LLC -
Appl. under Sect. 15.2-2232 of the Code of Virginia to permit a telecommunications facility at a maximum height of 140 ft. on property located at 1089 Liberty Meeting Ct. on approx. 8.11 ac. zoned R-1. Tax Map 6-4 ((1))66B, 70A; 6-4((14))A. (Concurrent w/SE-99-D-043.)
DRANESVILLE DISTRICT.

SE-99-D-043 - COMMUNITY WIRELESS STRUCTURES II, LLC -
Appl. under Sect. 3-104 of the Zoning Ordinance to permit a telecommunication facility at a maximum height of 140 ft. on property located at 1089 Liberty Meeting Ct. on approx. 8.11 ac. zoned R-1. Tax Map 6-4((1))66B, 70A; 6-4((14))A. (Concurrent w/2232-D99-13.)
DRANESVILLE DISTRICT. JOINT PUBLIC HEARING.

Michelle Rosati, Esquire, with Hunzeker and Lyon, PC, reaffirmed the affidavit dated April 10, 2001. There were no disclosures by Commission members.

Mr. Bill Mayland, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff report for SE-00-H-053, and Mr. David Jillson, Planning Division, DPZ, presented the staff report for 2232-H00-41, a copy of which is in the date file. Mr. Mayland

noted that staff recommended approval of the special exception application and Mr. Jillson noted that staff found the 2232 application to be substantially in accord with the Comprehensive Plan.

Ms. Rosati showed the Commission a picture of the proposed bell tower which she said was a new approach to the tough problem of siting telecommunications facilities. She said the tower would have a computerized carillon system installed inside and would provide much needed coverage for up to as many as six telecommunications carriers. She explained that all associated equipment would be located inside an existing small structure known as the Reifsnyder house, where equipment would be consolidated, enclosed and disguised. She said a balloon test, conducted on Saturday, May 12, 2001, had shown that visibility would be limited to certain distinct points in the neighborhood. She noted that the applications had the support of staff, and said while there was not a consensus, the facility did have considerable community support. She explained that although other sites had been considered, the church site had been determined to be the most suitable. She pointed out that this was the first proposed stealth bell tower in Fairfax County and would have no visible antennas or platforms, no light and would be sufficiently screened. In conclusion, Ms. Rosati said that residential use generated a need for these facilities in residential areas and that the demand was increasing. She requested a favorable recommendation.

At Commissioner DuBois' request, Ms. Rosati reviewed alternative sites and explained why they were unsuitable.

In response to a question from Chairman Murphy, Mr. Mayland said if the church wanted to install a bell tower on their property it would require special exception amendment approval.

At Commissioner Palatiello's request, Ms. Rosati described the appearance of the bell tower.

Commissioner DuBois announced that she intended to defer a decision on this matter to May 31, 2001.

Chairman Murphy called the first listed speaker and reviewed the rules for testifying before the Commission.

A video presentation opposing the proposed facility was made on behalf of Ms. Thelma Malveaux, 1097 Liberty Meeting Court, Herndon, who was unable to attend tonight's meeting. (A transcript of her videotaped testimony is in the date file.)

Mr. David Rogers, 12208 Sugar Creek Court, Herndon, who was unable to appear, submitted an analysis demonstrating the visual impact of the proposed tower to residents along Sugarland Road. (This analysis is in the date file.)

Mr. Colin Desa, 1096 Liberty Meeting Court, Herndon, expressed opposition to the tower because it would have an adverse affect on the environment and property values, as well as a negative visual impact on the neighborhood. (A copy of his remarks is in the date file.)

Ms. Kim Fox, 11851 Timber Knoll Court, Herndon, expressed opposition to the proposed tower, citing environmental concerns. She submitted for the record an audio tape she made of cellular phone conversations in the area which were clearly audible. (This tape is in the date file.)

Mr. Paul Onitsuka, 11850 Timber Knoll Court, Herndon, said he was opposed to the tower because it was not compatible with a residential neighborhood, would have a negative impact on area real estate values, and would be visually intrusive.

Ms. Christine Forward, 1167 Silver Beech Road, Herndon, said the tower was inappropriate for the neighborhood and would set a precedent for putting commercial equipment on church property in residential areas.

Mr. Christopher Merrill, 1589 North Village Road, Reston, a member of the Dranesville United Methodist Church, expressed support for the tower. He said the tower lease would provide much needed income for the church which was an important part of the community. He added that the renovation of the Reifsnnyder house, which was in disrepair and had been vandalized many times, would benefit the church and the community. (A copy of his remarks is in the date file.)

Ms. Sharon Cunningham, 413 Spruce Court, Herndon, expressed support for the proposed tower. She said the design of the tower addressed the concerns of the church and the surrounding community and would meet the technological needs of a growing and diverse community.

Mr. Fredrick Ackbari, 1110 Stuart Road, Herndon, expressed opposition to the proposed tower, citing an adverse affect on property values. (A copy of his remarks is in the date file.)

Ms. Merrell Renaud, 11708 Sugarland Road, Herndon, said the tower was inconsistent with the Comprehensive Plan's mandate to keep the Route 7 corridor residential.

Mr. Keith Link, 11867 Timber Knoll Court, Herndon, said he was opposed to the telecommunication facility because it would immediately and dramatically diminish property values in the area.

Ms. Emily Price, 1161 Taji Court, Herndon, said the tower would obstruct the view from her backyard. She also said she was concerned about the safety of children who might play around the tower.

Ms. Bert Dumpe, P. O. Box 9571, Arlington, with Ergotec Association, expressed environmental concerns. (Reports submitted by Ms. Dumpe supporting her position are in the date file.)

Ms. Melissa Rogers, 12208 Sugar Creek Court, Herndon, spoke in support of the facility, saying she thought a bell tower was a wonderful idea and said phone coverage was needed in the Route 7 area.

Mr. William Owens, 12315 Valley High Road, Herndon, expressed support for the proposed facility, saying it met the needs of the church and the community and addressed concerns of the immediate neighbors about the height and appearance of the tower.

Mr. Jim Reagan, 1100 Arbor Oak Place, Herndon, Caris Glenne Homeowners Association, showed the Commission a three dimensional model of the tower. He said the tower would be visible above the tree line and suggested that the height be reduced.

In response to a question from Commissioner Smyth, Mr. Jillson said the pole was not required to be lighted.

Ms. Kathryn Farrar, 11718 Leesburg Pike, Herndon, said the tower would be visible from her residence, but that she had no objection to the much needed and anticipated bell tower. (A copy of her remarks is in the date file.)

In response to a question from Commissioner Palatiello, Ms. Farrar said that she would have no objection if the pole were moved to the north side of the property, closer to Route 7.

Mr. Mayland said, however, that the applicant and the church felt that the north side of the property was not the most advantageous location.

Ms. Kathy Karan, 4061 Powder Mill Road, Calverton, Maryland, Project Manager, AT&T Wireless Services, said three properties had been identified for the location of the proposed facility: the Mobil Station at the corner of Georgetown Pike and Route 7; the Fairfax County Water Authority property south of Route 7; and the Dranesville United Methodist Church site. She then introduced Mr. Arsenio Ibay, the Radio Frequency Engineer for AT&T.

Mr. Arsenio Ibay, 11710 Beltsville Drive, Beltsville, Maryland, Radio Frequency Engineer, AT&T Wireless Services, explained the church site was the best of the three locations for the facility. He said because it was closer to the Route 7 where coverage was needed, the height of the tower could be reduced.

Mr. Jim Keys, 1089 Safa Street, Herndon, President, Shaker's West Homeowners Association, expressed support for the proposed facility citing the need for improved coverage in the area.

Ms. Loree Link, 11867 Timber Knoll Court, Herndon, spoke in opposition to the tower because it would be visually intrusive on her property.

Mr. Henry Renaud, 11708 Sugarland Road, Herndon, Citizens Against the Tower, expressed opposition to the facility because it was inconsistent with the Comprehensive Plan. (A copy of his remarks is in the date file.)

Mr. Renaud responded to questions from Chairman Murphy and Commissioner Byers about his position.

Mr. Thomas D. Virnston, 1090 Liberty Meeting Court, Herndon, expressed opposition to the proposed facility because it would adversely affect his property value. He also expressed environmental concerns.

Mr. Ronald Hunter, 11699 Carson Cove Court, Herndon, questioned the need for the tower.

Mr. Anna Lavagnino, 11801 Sugarland Road, Herndon, said she lived across the street from the church and did not want to look at the tower.

Mr. Ashok Kalburgi, 11862 Timber Knoll Court, Herndon, expressed opposition to the facility. He asked who would be held legally liable if the tower were approved. (A copy of his remarks is in the date file.)

Answering Mr. Kalburgi's question, Chairman Murphy said that if the Board of Supervisors approved the application and the citizens wished to take legal action, the County would be defended by the County Attorney. He added that if the application were denied, CWS could sue the County and again, the County would be defended by the County Attorney.

Ms. Angela Love, 1120 Stuart Hills Way, Herndon, urged that the application be denied because property values would decrease, thereby reducing the tax base of the County. She also said the tower was ugly.

Dr. Ute Ackbari, 1110 Stuart Hills Way, Herndon, said that he had had no problems with cell phone coverage from his home. He also said the facility would be a hazard for neighborhood children.

In response to a question from Commissioner Hall, Mr. Ackbari said that although CWS may not have sufficient coverage in the subject area, others carriers did.

Pastor Tim Craig, 11718 Sugarland Road, Herndon, Dranesville United Methodist Church, said the bell tower evolved in response to concerns of the community about the appearance of a traditional monopole. He said he felt that a bell tower was in character with the church.

Mr. Armand McClintock, 11851 Timber Knoll Court, Herndon, said he was the husband of Kim Fox, an earlier speaker, reiterated her position that cell phone coverage was adequate in the area.

Chairman Murphy suggested that perhaps the facility providing Mr. McClintock's cell phone coverage had also impacted a neighborhood.

Mr. Steve Lavagnino, 11801 Sugarland Road, Herndon, expressed opposition to the tower.

There were no further speakers. Therefore, Chairman Murphy called upon Ms. Rosati for a rebuttal statement.

Ms. Rosati stated that she believed the church was a good steward of its property. She submitted for the record property value studies which indicated that there was no evidence that telecommunications facilities had an adverse affect on property values.

In response to a question from Commissioner Koch, Ms. Rosati said she believed if the pole height was reduced to 100 feet, only four carriers could locate on it. Commissioner Koch pointed out that in that case, another pole would be needed somewhere else.

Responding to a question from Commissioner Byers, Ms. Rosati said a memorandum from the Chief of the Fire and Rescue Department, dated May 30, 2000, requested that consideration of the North Point Fire Station site for the subject facility be withdrawn because it would seriously interfere with the operation of the station. (A copy of this memorandum is in the date file.)

Ms. Rosati responded to questions from Commissioner Wilson about the balloon test. Chairman Murphy commented that it was very difficult to get an accurate simulation of the appearance of a tower with a balloon test. He said at best it could only indicate the height, not the scale of the tower.

Commissioner Alcorn commented that it was not a foregone conclusion that facilities of this type were always approved and said that each application was evaluated by the Commission on its merits. He pointed out that the County had prevailed in litigation challenging the Virginia Department of Transportation's right to locate telecommunications facilities on their property without going through the public hearing process.

Commissioner Palatiello, noting that there were strong sentiments on both sides of this issue, said that the job of the Commission was to evaluate each facility based on its character, location and extent. He went on to say that the Commission had been briefed by experts in the telecommunications field who had concluded that there was no danger associated with having a tower in a residential neighborhood. He said telecommunications facilities were public utilities regulated by the federal government. Addressing the issue of property values, Commissioner Palatiello suggested that the National Association of Realtors conduct a study to provide empirical data, not opinions, on whether or not such facilities had an adverse affect on property values.

Chairman Murphy aligned himself with the comments made by Commissioners Alcorn and Palatiello and said Commission members would make their decision on this application based on information provided by staff, the applicant and the community.

Mr. Mayland said that staff was requesting a six foot, board-on-board fence around the facility to prohibit access to the bell tower.

There were no further staff remarks or comments or questions from the Commission, therefore, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for a deferral motion. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED TO DEFER THE DECISION ON SE-99-D-043 AND 2232-D99-13, COMMUNITY WIRELESS STRUCTURES II, LLC, TO A DATE CERTAIN OF MAY 31, 2001, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioner Kelso absent from the meeting.

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The meeting was adjourned at 1:20 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: July 25, 2002

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission